

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

RADAMES HENDRIX, )  
                      )  
Plaintiff,          )  
                      )  
vs.                 ) No. 3:12-cv-402  
                      )  
CITY OF MICHIGAN CITY, )  
INDIANA,            )  
                      )  
Defendants.        )

**ORDER**

This matter is before the Court on the Report and Recommendation by United States Magistrate Judge Christopher A. Nuechterlein (DE #60). Upon due consideration, the Court hereby **ADOPTS** the Report and Recommendation (DE #60) and **DISMISSES** this case **WITHOUT PREJUDICE**.

In light of Plaintiff's failure to comply with two of this Court's orders and lack of participation in this case since September 2014, Magistrate Judge Nuechterlein recommended the case be dismissed under Federal Rule of Civil Procedure 41(b). (DE #60.) More than 14 days has passed, and no party has filed any objection to the Report and Recommendation. Fed. R. Civ. P. 72(b)(2); see also *Willis v. Caterpillar, Inc.*, 199 F.3d 902, 904 (7th Cir. 1999) (explaining that the failure to file a timely objection will result in the waiver of the right to challenge a report and

recommendation). Therefore, Plaintiff has waived his right to challenge the report and recommendation. This Court consequently adopts Magistrate Judge Nuechterlein's Report and Recommendation (DE #60), and **DISMISSES** this case **WITHOUT PREJUDICE**.

**DATED: February 25, 2015**

**/s/ RUDY LOZANO, Judge**  
**United States District Court**